

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ADAM JUDKINS,

Case No. 2:22-cv-00878-APG-EJY

Plaintiff

ORDER

V.

CLARK COUNTY DETENTION CENTER,

Defendant.

Pending before the Court is Plaintiff's Motion for Miscellaneous Relief (the "Motion"), which is seeking relevant documents to be sent to the correct address. ECF No. 6. Plaintiff did not submit an application to proceed *in forma pauperis* or pay the \$402 filing fee in this matter. Plaintiff's initiating document did not comply with Local Special Rule 2-1. On July 7, 2022, the Court issued an Order requiring the Clerk of the Court to send Plaintiff the approved form for filing a § 1983 complaint, the approved form application to proceed in forma pauperis by an inmate, and the information and instructions for filing both documents. ECF No. 4. The Clerk of Court sent the documents to Plaintiff at the Clark County Detention Center, but the mail was returned with the notification that Plaintiff was not in custody. In Plaintiff's subsequent Motion, he indicates that he is housed at the El Paso County Jail in Colorado Springs, Colorado. It appears, therefore, that Plaintiff never received the Court's prior Order.

Accordingly,

21 IT IS HEREBY ORDERED that Plaintiff's Motion for Miscellaneous Relief (ECF No. 6) is
22 GRANTED.

23 IT IS FURTHER ORDERED that the Clerk of Court must update Plaintiff's address to the El
24 Paso County Jail in Colorado Springs, which is reflected on ECF No. 6 at 2.

25 IT IS FURTHER ORDERED that the Clerk of the Court **will** send Plaintiff the approved form
26 for filing a § 1983 complaint, the approved form application to proceed *in forma pauperis* by an

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1 inmate, and the information and instructions for filing both documents to Plaintiff at the El Paso
2 County Jail in Colorado Springs, Colorado.

3 IT IS FURTHER ORDERED that on or before **October 7, 2022**, Plaintiff must (1) file a
4 complaint in compliance with LSR 2-1, and (2) either pay the \$402 filing fee for a civil action or file
5 with the Court: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court's
6 approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail
7 official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous**
8 **six-month period.**

9 IT IS FURTHER ORDERED that failure to file a complaint in compliance with LSR 2-1 and
10 either pay the \$402 filing fee or file a complete application to proceed *in forma pauperis* on or before
11 **October 7, 2022**, will result in a recommendation to dismiss this action without prejudice. A dismissal
12 without prejudice allows Plaintiff to file his case with the Court, under a new case number, when he
13 is able to comply with LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay
14 the required filing fee.

15 DATED this 3rd day of September, 2022.

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18 ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE
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